

Palm Bay Police Department Complaint Form

Case Number	DI	2016-004	Date Received	6/29/2016	Related DR #	
Employee Last	Mertens		Employee First	Shane		Title Officer
ID #	221	Employee #	2841	Location	620 Hurley Blvd. (PBPD Gun Range)	
			Date Occurred	6/23/2016		

Complainant Information

Last Name	Latulippe	First Name	Greg	Home Phone	(321) 952-3456
Address	130 Malabar Rd.			Work Phone	
City	Palm Bay	State	FL	Zip	

Nature of Complaint

Violation Number	Description	Finding / Disposition
401.4(L)	Carry/Use of Weapons	S Letter of Counseling

Narrative

It is alleged that on 6/23/16, Officer Mertens accidentally discharged his firearm into the cleaning table at the PBPD gun range. It is alleged that Officer Mertens did not follow the proper "firearm clearing" protocol to make his firearm "safe" before attempting to disassemble and clean it.

Received by: <i>Sgt MIB</i>	Chief of Police (or designee):
Date: 6/29/16	Date:
Assigned Investigator: Ribnick, Thomas Sgt	Case Due: 7/20/2016
Forwarded to: Lt Latulippe	Forwarded by: Sgt Ribnick Date: 7-8-16
Forwarded to: Comm Resh	Forwarded by: Lt Latulippe Date: 7-12-16
Forwarded to:	Forwarded by: Date:
Forwarded to:	Forwarded by: Date:
Forwarded to:	Forwarded by: Date:
Findings	Sustained <input checked="" type="checkbox"/> Not Sustained <input type="checkbox"/> Exonerated <input type="checkbox"/> Unfounded <input type="checkbox"/>
Complainant notified as to finding	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> By: Lt Latulippe ID: 44 Date: 7-7-16
Documents (copies) attached relating to action taken (if applicable): <input checked="" type="checkbox"/> yes	
Lieutenant/Manager	Concur <input checked="" type="checkbox"/> Non-Concur <input type="checkbox"/> Date: 7-12-16 Signature: <i>[Signature]</i>
Captain	Concur <input checked="" type="checkbox"/> Non-Concur <input type="checkbox"/> Date: 7-12-16 Signature: <i>[Signature]</i>
Deputy Chief	Concur <input checked="" type="checkbox"/> Non-Concur <input type="checkbox"/> Date: 7-14-16 Signature: <i>[Signature]</i>
Chief of Police (or designee) Final Review: <i>[Signature]</i>	



PALM BAY POLICE DEPARTMENT

Executive Division - Internal Affairs Unit

TO Sergeant Michael Smith *MS20*
FROM Sergeant Thomas Ribnicky *P*
DATE July 07, 2016
SUBJ DI 2016-004 / Officer Shane Mertens

Complaint

It is alleged that Officer Mertens accidentally discharged his firearm during the cleaning process while at the department range

I have looked into the above complaint that Officer Mertens violated department GO 401.4(L)

Carry/use of Weapons- Members authorized to carry and use weapons will do so in a careful and prudent manner in accordance with law and Department procedures

On June 29th, 2016 Officer Mertens was participating in firearms training at our training facility. At the conclusion of the training, Officer Mertens along with others were conducting firearms cleaning when Officer Mertens UMP firearm was discharged without intent. The round that was discharged went through the cleaning table in the cleaning shed and exited through the floor. There were no injuries as a result of this incident. Sergeant Thomas Ribnicky was the supervisor on scene and his staff notification stated that Officer Mertens was attempting to clear his weapon for cleaning when he failed to properly check the weapon before pulling the trigger.

I spoke with and had Officer Mertens show me the steps that he took in clearing the firearm prior to cleaning. Officer Mertens showed me that he had removed the magazine at his vehicle prior to entering the cleaning shed. Officer Mertens failed to clear the round from the chamber. When Officer Mertens pulled the trigger to break down the firearm in the cleaning shed, the live round in the chamber discharged through the cleaning table and exited through the floor.

Findings

Gmc #44

It is the finding of this investigation that Officer Mertens failed to follow department procedures for the safe disassembly of his department firearm and in doing so was not handling the firearm in a prudent and careful manner. Officer Mertens has accepted full responsibility for this incident.

Officer Mertens did violate department G O 401 4 (L) and as a result had a negligent discharge of his department firearm. Officer Mertens will be issued a letter of counseling, an entry of this incident will be annotated in his employee blue book and remedial firearms safety training was conducted and is attached to this inquiry.

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